IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY SECOND DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 23689 of 2004

Between:

Syed Abdul Hussain, S/o. Syed Karimullah Hussain,
R/o. Char Bowli, Warangal.

..... PETITIONER

AND

1 The Commissioner of Labour, A.P., Anjaiah Karmika Bhavan, RTC X Roads, Hyderabad.
2 The Dy. Commissioner of Labour, Warangal.
3 The Assistant Commissioner of Labour, Warangal.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to Issue a Writ or order or direction, especially one in the nature of Writ of Mandamus; i) Declaring the action of the respondents in not registering the House bearing No. SRT-138 Industrial Housing Colony, Warangal on the petitioners name as illegal, arbitrary. ii) Consequently direct the respondents to register the H.No. SRT -138 Industrial Housing Colony, Warangal, on the petitioners name and pass such any other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioner: MR.K.VASUDEVA REDDY

Counsel for the Respondents: GP FOR LABOUR

The Court at the stage of admission made the following ORDER:

The grievance of the petitioner is that though he was allotted quarter bearing No. SRT 138 in Industrial Housing Colony, Warangal and his right was upheld by the civil Courts in O.S.No.552 of 1984 and A.S.No.20 of 1991, the respondents are not taking any steps to register the same in his name. He seeks appropriate directions in this regard.

Heard learned counsel for the petitioner and learned Government Pleader for Labour.

The learned counsel for the petitioner submits that the petitioner was allotted the quarter several years back and the registration was held up on account of the litigation initiated by an illegal occupant by name Md. Liyakhat Ali. It is stated that the suit filed by Mr. Liyakhat Ali was dismissed and the decree was upheld in appeal way back in the year 1997 and despite the same, no steps were taken.

The learned Government Pleader for Labour has placed before this Court a memo dated 24.08.2004 issued by the first respondent to the second respondent. In that memo, the relevant facts are stated and ultimately the second respondent was directed to take steps to collect dues from the petitioner and to register the quarter in his favour. In that view of the matter, it cannot be said that there was inaction on the part of the respondents.

Hence, the writ petition is disposed of directing the second respondent to expedite the action directed by the first respondent in his memo dated 24.08.2004 and conclude the proceedings within three months from the date of receipt of a copy of this order, subject to compliance with the conditions by the petitioner. No order as to costs.

22.12.2004

ksld

To

1 The Commissioner of Labour, A.P., Anjaiah Karmika Bhavan, RTC X Roads, Hyderabad.
2 The Dy. Commissioner of Labour, Warangal.
3 The Assistant Commissioner of Labour, Warangal.

4 Two C.Cs. to the Government Pleader for Labour, High Court Buildings, A.P., Hyderabad, (OUT).

5 Two C.D. Copies.